

SENATE BILL 274

IN THE SENATE

January 27, 1979

Introduced and referred to  
Committee on Judiciary.

February 5, 1979

Committee recommend bill,  
do not pass.

1 Smith BILL NO. 274  
2 INTRODUCED BY Thiessen

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
5 70-18-201, MCA, TO PROVIDE THAT, IN LANDS ACQUIRED BECAUSE  
6 OF ACCRETION OR DERELICTION, THE MINERAL RIGHTS BELONG TO  
7 THE OWNERS OF THE MINERAL RIGHTS IN THE PARCEL OF LAND WHICH  
8 FORMED THE BASIS FOR ACQUIRING TITLE TO THE ACCRETEO OR  
9 DERELICTED LAND."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12                   Section 1. Section 70-18-201, MCA, is amended to read:

13                   "70-18-201. Alluvion--or--accretion Accretion or

14 dereliction -- increase of bank. Where in Except as

15 provided in subsection (2), whenever from natural causes

16 land forms by imperceptible degrees upon the bank of a river

17 or stream, navigable or not navigable, either by

18 accumulation of material or by the recession of the stream,

19 such land belongs to the owner of the bank, subject to any

20 existing right-of-way over the bank.

(2) The mineral rights in land acquired under subsection (1) after [the effective date of this act] belong to the owners of the mineral rights in the parcel of land forming the bank, by virtue of ownership of which parcel of land title is acquired under subsection (1)."

-End-

SB 274  
INTRODUCED BILL

Approved by Comm.  
on Local Government

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12                   Section 1. Section 7-13-4314, MCA, is amended to read:

13                   "7-13-4314. Annexation as a requirement for receiving

14                   service. (1) Any person, firm, or corporation receiving

15                   water, or sewer, OR WATER AND SEWER service outside of

16                   incorporated city limits ~~may shall~~ be required by the city

17                   or town, as a condition to initiate such service, to consent

18                   to annexation of the tract of property served by the city or

19                   town. The consent to annexation is limited to that tract or

20                   parcel or portion of tract or parcel that is clearly and

21                   immediately, and not potentially, being serviced by the

22                   water, or sewer, OR WATER AND SEWER service.

23           121. The city or town may require consent to annex from  
24           anyone, regardless of the distribution system or the type of  
25           district that has been established to provide the

1 distribution system, if that system is tied into a  
2 municipally owned water or sewage, OR WATER AND SEWAGE  
3 treatment plants. The governing body of a special district  
4 shall sign a consent to annexation that is binding upon each  
5 person, firm, or corporation served by the system governed  
6 by that body.

17 fail water service from a city or town if the water is  
18 distributed by the city or town or treated in a treatment  
19 plant owned or operated by the city or town;

20                         (b) sewer service from the city or town if the sewer  
21                         service is provided by the city or town or if sewage is  
22                         treated in a plant owned or operated by the city or town."

- End -